

518 Rec'd 02 AUG 2001

FORM PTO 1590
(REV 3-93)

US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NUMBER
2001_0912ATRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. §371U.S. APPLICATION NO.
(if known) 35 CFR 1.53
NEW 097890576International Application No.
PCT/JP00/08805International Filing Date
December 13, 2000Priority Date Claimed
December 13, 1999Title of Invention
OPTICAL DISK DEVICEApplicant(s) For DO/EO/US
Kazuhiko KONO

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:


1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. §371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. §371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. §371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. §371(c)(2))
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau). ATTACHMENT A
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ A translation of the International Application into English (35 U.S.C. §371(c)(2)). ATTACHMENT B
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3)).
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19.
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. §371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. §371(c)(5)).

Items 11. to 14. below concern other document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98. ATTACHMENT C
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment including Proposed Drawing Amendments (Figs. 1 & 2). ATTACHMENT D
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☒ Other items or information:
 - Notification Concerning Submission or Transmittal of Priority Document - ATTACHMENT E
 - unexecuted Declaration and Power of Attorney with Cover Letter - ATTACHMENT F
 - substitute Formal Drawings (Figs. 1-11) with Cover Letter - ATTACHMENT G

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

097890576-101801

U.S. APPLICATION NO. 09/8976 NEW		INTERNATIONAL APPLICATION NO. 76 PCT/JP00/08805		ATTORNEY'S DOCKET NO. 2001 0912A					
15. [X] The following fees are submitted BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee nor international search fee paid to USPTO and International Search Report not prepared by the EPO or JPO \$1000.00 International Search Report has been prepared by the EPO or JPO \$ 860.00 International preliminary examination fee not paid at USPTO but international search paid to USPTO \$ 710.00 International preliminary examination fee paid to USPTO but claims did not satisfy provisions of PCT Article 33(1)-(4) \$ 690.00 International preliminary examination fee paid at USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$ 100.00 ENTER APPROPRIATE BASIC FEE AMOUNT =				<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:50%;">CALCULATIONS</th> <th style="width:50%;">PTO USE ONLY</th> </tr> <tr> <td style="height: 100px; vertical-align: bottom;">\$ 860.00</td> <td></td> </tr> </table>		CALCULATIONS	PTO USE ONLY	\$ 860.00	
CALCULATIONS	PTO USE ONLY								
\$ 860.00									
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">\$</td> <td style="width:50%;"></td> </tr> </table>		\$			
\$									
Claims	Number Filed	Number Extra	Rate						
Total Claims	12 - 20 =	0	X \$18.00	\$					
Independent Claims	8 - 3 =	5	X \$80.00	\$ 400.00					
Multiple dependent claim(s) (if applicable)				+	\$270.00				
TOTAL OF ABOVE CALCULATIONS =				\$1,260.00					
[] Small Entity Status is hereby asserted. Above fees are reduced by 1/2.				\$					
SUBTOTAL =				\$1,260.00					
Processing fee of \$130.00 for furnishing the English translation later than [] 20 [] 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">+</td> <td style="width:50%;">\$</td> </tr> </table>		+	\$		
+	\$								
TOTAL NATIONAL FEE =				\$1,260.00					
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property				<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">+</td> <td style="width:50%;">\$</td> </tr> </table>		+	\$		
+	\$								
TOTAL FEES ENCLOSED =				\$1,260.00					
				Amount to be refunded	\$				
				Amount to be charged	\$				
a. [X] A check in the amount of \$1,260.00 to cover the above fees is enclosed. A duplicate copy of this form is enclosed. b. [] Please charge my Deposit Account No. 23-0975 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-0975.									
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.									
19. CORRESPONDENCE ADDRESS <div style="text-align: center;">  000513 PATENT TRADEMARK OFFICE </div>			By: <u><i>Charles R. Watts</i></u> Charles R. Watts, Registration No. 33,142 WENDEROTH, LIND & PONACK, L.L.P. 2033 "K" Street, N.W., Suite 800 Washington, D.C. 20006-1021 Phone: (202) 721-8200 Fax: (202) 721-8250 August 2, 2001						

[CHECK NO. 45788]

[2001 0912A]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :
Kazuhiko KONO : Attn: BOX PCT
Serial No. NEW : Docket No. 2001_0912A
Filed August 2, 2001 :
OPTICAL DISK DEVICE
[Corresponding to PCT/JP00/08805
Filed December 13, 2000]

**COVER LETTER FOR APPLICATION FILED
WITHOUT EXECUTED DECLARATION**

Assistant Commissioner for Patents,
Washington, DC 20231

Sir:

The above-identified application has been submitted without an executed oath or declaration.

It is respectfully requested that this application be assigned a serial number and awarded a filing date.

A duly executed oath or declaration pursuant to 37 CFR 1.63 will be submitted after notification by the U.S. Patent and Trademark Office.


A non-executed copy of the Declaration and Power of Attorney, containing the inventorship information, is attached. It is respectfully requested that all communications be directed to the firm indicated on the attached Declaration and Power of Attorney, namely:

WENDEROTH, LIND & PONACK, L.L.P.
2033 K Street, N.W., Suite 800
Washington, D.C. 20006-1021

The required U.S. Patent and Trademark Office Filing Fee is submitted herewith.

Respectfully submitted,

Kazuhiko KONO

By 
Charles R. Watts
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Attorney for Applicant

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August 2, 2001